



# Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Fourth Meeting Day

Monday Afternoon

January 13, 2003

The House convened at 2:00 p.m. with the Speaker in the Chair.

The invocation was offered by Pastor Jim Lyon, North Anderson Church of God, Anderson, the guest of Representative Terri J. Austin.

The Pledge of Allegiance to the Flag was led by Representative Austin.

The Speaker ordered the roll of the House to be called:

T. Adams ☐	Kromkowski
Aguilera	Kruse
Alderman ☐	Kuzman ☐
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz ☐
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath ☐
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks ☐	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel ☐
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta ☐	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris ☐	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young ☐
Klinker	Yount
Koch	Mr. Speaker

Roll Call 4: 90 present; 10 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 14, 2003, at 10:00 a.m.

RESKE

Motion prevailed.

## INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

**HB 1233** — Duncan (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1234** — Duncan (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1235** — Duncan, Welch (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1236** — Duncan, Oxley (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1237** — Torr, Kuzman, L. Lawson, Foley (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

**HB 1238** — Denbo (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1239** — Denbo (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1240** — D. Young, Stevenson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1241** — Kuzman, Liggett (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1242** — Ayres, Stevenson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1243** — Ayres, Stevenson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1244** — Ayres, Stevenson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1245** — Ayres, Stevenson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1246** — V. Smith, Budak (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

**HB 1247** — V. Smith, Becker (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1248** — V. Smith, Ayres, Klinker (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1249** — V. Smith, Becker (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1250** — V. Smith, Ayres, Klinker (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1251** — V. Smith, Summers (Appointments and Claims)

A BILL FOR AN ACT concerning human services.

**HB 1252** — V. Smith, Summers (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1253** — V. Smith, C. Brown (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1254** — V. Smith, C. Brown (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1255** — V. Smith, C. Brown (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1256** — Cheney (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1257** — Hasler (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1258** — Avery (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1259** — Avery (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**HB 1260** — Avery (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1261** — Avery (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1262** — Avery (Ways and Means)

A BILL FOR AN ACT concerning taxation.

**HB 1263** — Avery (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1264** — Avery, Ulmer (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1265** — Mahern, Foley (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1266** — Orentlicher (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1267** — Orentlicher (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1268** — Orentlicher (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1269** — Orentlicher (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1270** — Dickinson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1271** — Mays, T. Brown (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1272** — Weinzapfel (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1273** — Weinzapfel (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

**HB 1274** — Weinzapfel (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1275** — Weinzapfel (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1276** — Weinzapfel (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1277** — Crooks (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1278** — Crooks (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1279** — Denbo (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1280** — Buell (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1281** — Ayres, Pelath, Stevenson, C. Brown, Budak (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**HB 1282** — Harris (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1283** — Harris (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1284** — Austin (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**HB 1285** — Austin (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

**HB 1286** — Austin (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1287** — Orentlicher, Lytle (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1288** — Kruse (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1289** — Kruse (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1290** — Kruse (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1291** — Kruse (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1292** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1293** — Kruse (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1294** — Kruse (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations.

**HB 1295** — Kruse (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1296** — Kruse (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1297** — Kruse (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1298** — Kruse (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1299** — Kruse (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1300** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1301** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1302** — Kruse (Ways and Means)

A BILL FOR AN ACT concerning taxation.

**HB 1303** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**HB 1304** — Kruse (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1305** — Kruse (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1306** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1307** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1308** — Kruse (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1309** — Kruse (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1310** — Kruse (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**HB 1311** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**HB 1312** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1313** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1314** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1315** — Kruse (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1316** — Kruse (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1317** — Kruse (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1318** — Kruse (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1319** — Kruse (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1320** — Kruse (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1321** — Kruse (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1322** — Porter (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1323** — Porter (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**RESOLUTIONS ON FIRST READING****House Concurrent Resolution 4**

Representative Stilwell introduced House Concurrent Resolution 4:

A CONCURRENT RESOLUTION to convene a Joint Session of the 113th General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chambers of the House of Representatives at 7:00 p.m. on Tuesday, January 14, 2003, to receive the Governor's message which will be given in compliance with Section 13 of Article 5 of the Constitution of the State of Indiana and the Speaker is hereby directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take thereon.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Garton.

The Speaker appointed Representatives Cochran, Robertson, LaPlante, and Stutzman to transmit the resolution to the Senate.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****HOUSE MOTION**

Mr. Speaker: I move that a committee of four members of the House be appointed by the Speaker, to act with a like committee of the Senate, to wait upon the Governor and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Cochran, Robertson, LaPlante, and Stutzman be appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 14, 2003.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Grubb and Friend be added as coauthors of House Bill 1052.

FOLEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Reske and Ulmer be added as coauthors of House Bill 1060.

CHENEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Murphy and Liggett be added as coauthors of House Bill 1080.

CHENEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Denbo be added as coauthor of House Bill 1084.

GOODIN

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Welch and Reske be added as coauthors of House Bill 1198.

KOCH

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1199.

KOCH

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative T. Adams be added as coauthor of House Bill 1204.

BUELL

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Mays, the House adjourned at 2:45 p.m., this thirteenth day of January, 2003, until Tuesday, January 14, 2003, at 10:00 a.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives